



## ATTACHMENT B

### REMARKS

By this amendment, a minor change has been made to Claim 1, with claims 2-30 remaining unchanged and pending. The change to claim 1 clarifies that a film is formed by the present process and which overcomes the prior objection to the preliminary amendment. Applicants submit that the present amendment overcomes all prior rejections for the reasons as stated below.

In the Official Action, the Examiner objected to the use of the term "after drying step (iii)" after "layer" in claim 1 on the assertion that such an amendment added new matter into the application in violation of 35 U.S.C. §251. Without addressing the Examiner's comments thereto, this rejection has become moot in that Applicants have now substituted the term "film" for layer in claim 1 which overcomes the rejection and makes it clear that the film, which is formed through a drying step, has the requisite thickness after drying. In particular, the issued patent at column 7, lines 13-40 specifically describes the drying process and shows that the film is formed in order to obtain the biocomposite material according to the invention. In addition, numerous passages throughout the specification make it clear that the solution of collagen or gelatin is destined to form a film, including Col. 7, lines 25, 43 and 64 and Col. 6, line 41 as well as Col. 7, lines 17-18 as referred to above. Finally, the expression "30  $\mu$ m to less than 100  $\mu$ m-thick" is specifically supported by the specification, in particular at Col. 7, lines 39-40 ("The film of collagenic material is preferably less than 100  $\mu$ m thick, and more preferably between 30 and 75  $\mu$ m.")

Accordingly, it is clear that the present amendment is completely supported by the original patent specification and that the Examiner's rejection under 35 U.S.C. §251 is respectfully traversed and should be withdrawn.

In the Official Action, there was also an objection to the Reissue Oath, and this objection has now been traversed by the new Reissue Oath submitted herewith which overcomes the prior objection.

In light of the fact that the Examiner has indicated that Claims 1-30 of the application were free of the prior art, and that the remaining objections have been traversed for reasons as stated above, Applicants submit that the present application is in condition for allowance. Such action is thus respectfully requested.

**END OF REMARKS**